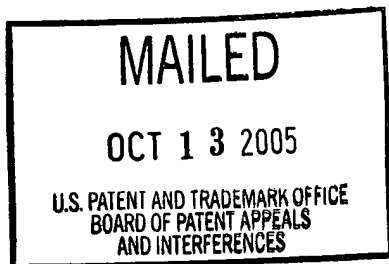


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte DON RUTLEDGE DAY
and RABINDRANATH DUTTA

Application No. 09/838,378

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on August 10, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:


The Examiner's Answer is defective because the evidence relied upon is not stated in the Examiner's Answer.

An Examiner's Answer that is in compliance with 37 CFR § 41.37(c) is required.

Accordingly it is

ORDERED that the application is returned to the Examiner to issue a new Examiner's Answer in compliance with the new rules and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
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